

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

631A0127

HOUSE EDUCATION COMMITTEE ENGROSSED

NO. **HB1076** - 2/12/97

Introduced by: Representatives Brooks, Brown (Richard), DeMersseman, Duniphan, Fischer-Clemens, and Hunt and Senators Munson (David), Aker, Everist, Hainje, Hutmacher, and Olson

1 FOR AN ACT ENTITLED, An Act to provide that the school district of residence of certain
2 foster children is the resident district of the foster parent.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-28-10 be amended to read as follows:

5 13-28-10. If a school age child resides in a home other than the residence of his parents,
6 guardian, or noncustodial parents on a temporary or permanent basis, the school residency of the
7 child is where the parents, noncustodial parents, or guardian reside unless, upon request of the
8 person with whom the child is living, the local school board accepts the child as a resident of that
9 school district. If the school board rejects the request, the person who made the request may,
10 within fifteen days after receipt of the rejection, appeal to the school board for a hearing. The
11 decision of the school board after the hearing is final and may be appealed to the circuit court.
12 However, a school age child is a resident of the school district where the school age child is
13 placed by the Unified Judicial System, the Department of Corrections, or entities approved by
14 the Department of Social Services, including a foster home.

1 **BILL HISTORY**

2 1/23/97 First read in House and referred to Education. H.J. 93

3 1/28/97 Scheduled for Committee hearing on this date.

4 1/30/97 Scheduled for Committee hearing on this date.

5 1/30/97 Deferred to 41st legislative day, AYES 13, NAYS 0. H.J. 216

6 2/11/97 Education Removed from Table.

7 2/11/97 Education Do Pass Amended, AYES 13, NAYS 0. H.J. 405